

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JERMAINE JONES,

Petitioner,

v.

SECRETARY, CDCR, et al.,

Respondent.

Case No. [21-cv-07157-RS](#) (PR)

ORDER REOPENING ACTION;

**ORDER DIRECTING PETITIONER
TO PAY THE FILING FEE OR FILE
AN APPLICATION TO PROCEED
IN FORMA PAUPERIS**

This action was dismissed because mail sent by the Court to petitioner was returned as undeliverable. Petitioner has filed a petition, which the Court construes as containing a motion to reopen. The motion is GRANTED and the action is REOPENED. The Clerk shall modify the docket to reflect that the action has been reopened. The judgment and the order of dismissal are VACATED.

Petitioner has not paid the \$5.00 filing fee or filed an application to proceed *in forma pauperis* (IFP). On or before **January 3, 2023**, petitioner shall either (i) submit full payment to the Clerk of the Court for the \$5.00 filing fee, or (ii) file a complete IFP application. A copy of the IFP form will be sent to him. Failure to pay the filing fee or file a complete IFP application by January 3, 2023 will result in the dismissal of this action for failure to prosecute, see Federal Rule of Federal Procedure 41(b).

IT IS SO ORDERED.

Dated: November 29, 2022



RICHARD SEEBORG
Chief United States District Judge